

ORDINANCE NUMBER <u>19-17</u>

MONON HILLS PUD District

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO
THE UNIFIED DEVELOPMENT ORDINANCE**

This is a Planned Unit Development District Ordinance (to be known as the “**MONON HILLS PUD DISTRICT**”) to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1906-PUD-14**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1906-PUD-14** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 20YY;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**MONON HILLS PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter ("*Chapter*") and Article ("*Article*") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 **Underlying Zoning District:** The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with *Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan*. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be the SF2 District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

Section 5. **Permitted Uses.** The permitted uses shall be as set forth below.

- 5.1 All uses permitted in the Underlying Zoning District, as set forth in *Chapter 4* and *Chapter 13*.
- 5.2 Maximum Dwellings: The total number of Dwellings permitted shall not exceed four (4) Single-Family Dwellings.

Section 6. **General Regulations.** The standards of *Chapter 4: Zoning Districts*, as applicable to the Underlying Zoning District, shall apply to the development of the District,

except as otherwise modified below.

Section 7. **Development Standards.** The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

7.1 Article 6.3 Architectural Standards: Shall apply to, except as modified below:

A. Character Exhibit. The Character Exhibit, attached hereto as **Exhibit C**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage a diversity in architecture of Dwellings.

B. Front Door: The front door of a residential dwelling on Lot 1, 2 & 3, as identified on the Concept Plan, shall face West. The front door of a residential dwelling on Lot 4, as identified on the Concept Plan, shall have option to face North or East. Façade with the front door to be considered Primary Front Elevation for the purpose of this Ordinance.

C. Garages: Garages on all Lots, as identified on the Concept Plan, shall be setback a minimum of twenty (20) feet behind the Primary Front Elevation. Garage door(s) on Lots 1 and 4 shall not be permitted to face 156th Street.

D. Permitted Materials: Vinyl and aluminum shall not be permitted exterior building materials, except for gutters, soffits, trim and other similar building components.

7.2 Article 6.8(M) External Street Frontage Landscaping Requirements: Shall not apply, rather the existing landscaping in the District shall be maintained.

Section 8. **Design Standards.** The standards of *Chapter 8: Design Standards* shall apply to the development of the District, except as otherwise modified below.

8.1 Article 8.6 Open Space and Amenity Standards: shall not apply

8.2 Article 8.7(C) Internal Pedestrian Network Standards: shall not apply

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

Processes & Permits. The standards of *Chapter 10: Processes & Permits* shall apply to the development of the District.

ALL OF WHICH IS ORDAINED/RESOLVED THIS DD DAY OF _____, 20YY.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

ATTEST:

_____, Clerk Treasurer

I hereby certify that **ORDINANCE 19-17** was delivered to the Mayor of Westfield

on the _____ day of _____, 20YY, at _____ m.

_____, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 19-17**

this _____ day of _____, 20YY.

I hereby VETO **ORDINANCE 19-17**

this _____ day of _____, 20YY.

_____, Mayor

_____, Mayor

This document prepared by:

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibits

EXHIBIT A
REAL ESTATE

PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER 1312.77 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 1945.13 FEET TO THE TRUE POINT OF THIS DESCRIPTION AT THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ON AND ALONG AFORESAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ON AND ALONG AFORESAID NORTH LINE 614.97 FEET TO A POINT WHICH IS 33.00 FEET SOUTH 87 DEGREES 15 MINUTES 41 SECONDS WEST OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 12 MINUTES 55 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER 1327.06 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ON AND ALONG AFORESAID SOUTH LINE 615.38 FEET TO THE PLACE OF BEGINNING.

EXCEPT: PART OF THE WEST HALF OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID QUARTER SECTION 131237 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES 34 MINUTES 59 SECONDS EAST ALONG SAID NORTH LINE 1945.13 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; SAID POINT BEING THE WEST LINE OF THE EAST HALF OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE 1323.62 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 87 DEGREES 15 MINUTES 41 SECONDS EAST ALONG SAID NORTH LINE 9.06 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 06 SECONDS EAST 1323.80 FEET TO THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE SOUTH 87 DEGREES 34 MINUTES 59 SECONDS WEST ALONG SAID NORTH LINE 5.83 FEET TO THE PLACE OF BEGINNING.

EXCEPTING: FOR THE CONSTRUCTION OF THE MONON TRAIL LOCATED IN THE TOWN OF WESTFIELD, HAMILTON COUNTY, INDIANA, PROJECT NO. STP-9929 (042), THE FOLLOWING DESCRIBED PROPERTY:

A PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 3 EAST HAMILTON COUNTY, INDIANA, AND THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE LAND DESCRIBED IN INSTRUMENT NO. 200500031430, OFFICE OF THE RECORDER OF HAMILTON COUNTY, LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 05 MINUTES 08 SECONDS EAST (ASSUMED BEARING) 1,327.24 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER LINE OF THE NORTH HALF OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES 43 MINUTES 33 SECONDS WEST 33.02 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH 0 DEGREES 05 MINUTES 08 SECONDS WEST 1,327.06 FEET PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE TO THE NORTH LINE OF SAID SECTION; THENCE NORTH 87 DEGREES 23 MINUTES 49 SECONDS EAST 33.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 43,796 SQUARE FEET, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 661 SQUARE FEET, MORE OR LESS FOR A NET ADDITIONAL TAKING OF 43,135 SQUARE FEET, MORE OR LESS.

EXHIBIT B
CONCEPT PLAN



EXHIBIT C
CHARACTER EXHIBITS



EXHIBIT C
CHARACTER EXHIBITS

